# Whale Plan Update

National Marine Fisheries Service/Northeast September, 2000 (v.1 n.4)

# Whale Plan To Be Modified

## NMFS Working on Gear Modification and Dynamic Management

**Gear Changes**
The NMFS Northeast Regional Office plans to send an Interim Final Rule (IFR) to headquarters by the end of September. We expect the IFR to be cleared through headquarters and published in October. This rule will implement gear changes recommended by the TRT earlier this year.

**Dynamic Management**
The TRT has recommended that NMFS prepare a proposed rule that employs dynamic management to protect right whales. The staff working on the team s recommendation is looking closely at the draft whale protection plans presented to the TRT in May by Maine, Massachusetts, and Rhode Island. These are plans to deal with off-season events (aggregations of right whales in areas where the whales are typically not known to congregate). The states draft plans contain criteria for setting up quick response measures for state-licensed fishermen when right whales become resident within state waters. Implementation of these draft state plans will require a commitment of state or federal funds as well as changes in state and federal regulations.

NMFS will examine the need to implement federal plans when right whales congregate in areas not covered by state plans, and to cover situations where the state and/or fishermen s groups are unable to provide an appropriate response.

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## Recent and Upcoming Meetings

There are no meetings of the full TRT scheduled for the remainder of 2000.

**Sub-group meetings**
There are no Northeast group meetings scheduled for 2000; NMFS expects to convene the Northeast component again in the first quarter of 2001.

The Mid-Atlantic component met August 25 in Alexandria, Virginia. A summary of that meeting will be posted on the whale plan web site soon.

The Southeast component met July 24 in Jacksonville, Florida. A summary of the meeting discussion and recommendations is available on this site (see What s New, Recent and Upcoming Meetings ).

NMFS is planning to convene a meeting of the Gear Advisory Group in the fall or winter of 2000/2001.

## Entanglements and Disentanglements

Some good news on the disentanglement front: two previously entangled right whales are now confirmed to be free of gear.

Right whale #2746 was first sighted entangled July 9 in the Bay of Fundy. The entanglement was discovered by NMFS researchers on the NOAA research vessel Delaware II. A dogged disentanglement effort was mounted over the next two weeks, with Canadian and US crews, vessels and aircraft working together. Bob Bowman (Center for Coastal Studies) reports that the entanglement was thought to be very serious and very risky. More than 200 feet of line and four buoys were removed and recovered. Amy Knowlton (New England Aquarium) reported on September 7 that analysis of photographs taken in late July show the whale is free of all gear.

A reporter (Peter Lord) and a photographer from the *Providence Journal Bulletin* observed and shot pictures of the disentanglement effort; Lord s report of that effort and his earlier flight with the Sighting Advisory System (SAS) crew are slated for publication in a multi-part series in the *Journal Bulletin* this fall.

Right whale #2710 was first seen entangled in the Bay of Fundy on July 21, 1999. This was one of three entangled right whales that were the focus of international efforts in the fall of 1999. (The entangled whale #2710 was initially mis-identified as #2660). Disentanglement work was done in September, 1999, but it was not known at that time if all the gear was removed. The animal was photographed this year in July and August and the photographs confirm the animal is free of gear.

The ALW Disentanglement Network currently lists 23 live whales first sighted entangled in 2000 (this includes two right whales and one large whale in Virginia that have not been confirmed as entangled). The most recent are a humpback calf (of Giraffe ) seen entangled September 7; a minke entangled off Baker s Island in Maine August 26; a humpback on Stellwagen Bank August 25; and a minke on Jeffreys Ledge, also August 25.

The minke near Baker s Island and the humpback on Stellwagen were successfully disentangled. A disentanglement network-trained fisherman whose gear was not involved reported the Baker s Island minke entanglement, stood by, and helped with disentanglement. The humpback calf s status is not immediately life threatening and the action plan is monitor. The Jeffreys Ledge minke has not been relocated.

The most recent confirmed right whale entanglement was reported by the Delaware II on August 18 in the Bay of Fundy. The whale was sighted by a NOAA aerial survey crew. The entangling gear was described as 200 feet of floating line trailing from the right pectoral flipper. Disentanglement teams from the U.S.

and Canada were on the scene, but the survey crew lost sight of the whale and it has not been relocated.

Details of all live entanglements (1999 and 2000) are available to TRT members online TRT members can contact the Center for Coastal Studies Bob Bowman for information at bbowman@acadia.net

## Gear Research and Development

Neutrally buoyant line is now being used by lobstermen and gillnetters from Rhode Island to Nova Scotia, reports Glenn Salvador, the NMFS whale plan coordinator in Maine. The hope is that neutrally buoyant line will neither sink and chafe on the bottom nor float high enough off the bottom to pose a risk to diving whales.

Salvador has distributed about 75 coils of the neutrally buoyant line to industry and will continue while supplies last. Another 30 coils, supplied to Dan McKiernan of the Massachusetts Division of Marine Fisheries, have been distributed to 13 lobstermen from Rockport to Chatham. A total of about 180 coils, which amount to more than 40 miles of line, should provide useful information about how well the line works with different types of gear in different conditions.

Last summer Salvador and a diver working with TRT member Pat White shot underwater video of neutrally buoyant line and poly line as it performed on White s lobster gear. The 16-minute video is available to TRT members (contact Salvador at 207 636-2766).

In another project, Salvador and TRT member Leroy Bridges are testing a galvanic time release device manufactured by a company in Washington state. The inexpensive device, which was suggested by a fisherman this summer, is a link that decomposes and breaks in salt water at prescribed intervals anywhere from one to seven days, or 10, 14 or 30 days. The idea is to use the time release link to hold the buoy and buoy line on the bottom when whales move into an area, instead of hauling the gear and moving it away from the whales. At a pre-determined interval, the link would break and the buoy would rise to the surface.

While the link is intact on the bottom, the gear would not have vertical lines that could entangle whales, but it also would not have a surface buoy to prevent people from trawling over or setting on top of each other s gear. Thus the strategy would be of limited use to the industry, but it might be feasible in situations where it allowed people to fish in areas that would otherwise have to be closed, Salvador suggests.

The links are currently being tested in salt water tanks at Washington County Technical College in Eastport, Maine. Bridges is testing the links in the ocean off Deer Island, and plans are under way to test them at the University of Maine s Darling center site.

A project involving Canadian gillnetters finished up last month, Salvador reports. This was an experiment testing 1,100 pound weak links and using load cells to measure the strain on gear. The experiment caught the attention of national television and radio news reporters in Canada. Data from the experiment should be available soon.

In September NMFS purchased experimental gillnets with weak links in the float ropes these are now are available for testing. Fishermen interested in using the experimental nets can contact Glenn Salvador (207 636-2766) or John Kenney (401 782-3346).

Results of a test of natural fiber ropes (cotton and sisal) are now available on this site (see Gear Research and Development ). The test was conducted in 1999 by Salvador and NMFS gear engineer John Kenney, who measured breaking strengths on 36 samples of rope soaked in salt water for as long as eight months.

## Sighting Advisory System

Sighting Advisory System (SAS) crews flew a total of 236.5 hours on 39 flights between March 23 and June 29 this year. The majority of the flights were over the Great South Channel, although the SAS crews also surveyed Long Island and Rhode Island waters, Stellwagen Bank, Jeffreys Ledge, Cashes Ledge, and Fippinies Ledge. A summary of the year 2000 Sighting Advisory System flights was posted on this site in early August ( Elements of the Plan, Sighting Advisory System ).

## Ship Strike Reduction

The Ship Strike Committee of the Northeast Implementation Team is holding four regional meetings to discuss the problem of ship strikes and right whales. The public meetings are intended for shipping companies, port authorities, pilots, other maritime interests, conservation and scientific groups, state and federal agency representatives, and other interested parties. The meetings are information and discussion sessions on the regional problem of right whales and ship strikes, management and education measures to date, and regional management options under consideration by the Ship Strike Committee. The purpose of these briefings are twofold: 1) to educate interested parties on the problems of right whales and ship strikes, and 2) to solicit input, suggestions, and guidance, on the prevention of ship strikes.

The first meetings were held September 13 in Port Newark, New Jersey, and September 14 in Silver Spring, Maryland. The Asbury Park Press carried a report of the first meeting this week (http://www.injersey.com/news/backstories.pl?id=302968&paper=0) Additional meetings are scheduled for September 28 in Savannah, Georgia, and October 5 in Gloucester, Massachusetts. Further information about the meetings is posted on this site web site under the Ship Strike Reduction/Northeast Implementation Team button. Questions about the meetings can be addressed to Bruce Russell at (301) 656-1751 or barussell@erols.com

In mid-July, NMFS NE Regional staff gave briefings to Bath Iron Works and US Navy personnel on the Sighting advisory System, the MMPA, the ESA, and the Ship Strike Committee s work on management options for decreasing the likelihood of whale/ship collisions. NMFS NER staff gave a separate briefing on the same topics to U.S. Navy personnel at the Brunswick Naval Air Station, also in mid-July.

## Cashes Ledge Analysis

In late June and early July NMFS had reports of sightings of more than 30 right

whales on Cashes Ledge an off-season event that provided a test of some of the dynamic management mechanisms being discussed by the TRT.

The first report came from a SAS flight June 20. Later, a charter recreational fishing vessel reported having seen a large group of right whales on Cashes Ledge on June 19. NMFS aerial and ship surveys in the following weeks produced the following:

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| June 20 | 31 right whales |
| June 21 | 8 right whales |
| June 28 | 36 right whales |
| June 29 | 22 right whales |
| July 6 | 1 right whale |
| July 8 | 0 right whales |
| July 13 | 0 right whales |

NMFS issued an alert June 21 asking fishermen to call in sightings of right whales and to either remove fixed gear or minimize the number of buoy lines in the area for ten days or until surveys confirmed the whales had left the area.

The whales apparently left the area in early July: on July 8, the R/V Delaware II traveled through the area and saw no right whales. The final NMFS aerial survey in the Cashes Ledge area on July 13 also resulted in no sighting of right whales. This last survey was conducted with Beaufort sea state at 1 to 1.5 for the entire flight, in which 400 NM of track line were flown covering all the areas where whales were previously sighted. NMFS then put out notice that the whales had moved north into the lower Bay of Fundy.